lege—not a natural right. A State may distinguish, select and classify objects of legislation, and must necessarily have a wide range of discretion. The Fourteenth Amendment requires only that the law shall operate equally and uniformly upon all members of the class. It must appear not only that a classification has been made, but that it is reasonable and is based on some difference that bears a just and proper relation to the attempted classification and is not merely arbitrary. The Illinois inheritance tax law is valid. Though the classification in accordance with which the tax varies is more or less arbitrary, yet it is based on reasonable grounds and does not deny the equal protection of the laws.

Ex-post Facto Law—Jury Trial.—Thompson v. *State of Utah*, 18 Sup. Ct. Rep. 620. It is *ex-post facto* legislation to make a jury in a criminal case consist of only eight jurors instead of twelve when the crime was committed before the act was passed. When provision was made in the United States Constitution for trial by jury in criminal cases, it was intended that the jury should consist of twelve men. This was binding on territories. Hence a State cannot legally convict a man on verdict of eight jurors when his crime was committed before the admission of the Territory as a State.

LIBEL.

Libel per se—Malice.—Cady v. *Brooklyn Union Pub. Co*, 51 N. Y. Supp. 198. A false publication of a practising dentist that he had committed suicide is libellous *per se* both as it touches him in his profession and as it is calculated to bring him into general ridicule. Malice need not be shown except in case of words qualifiedly privileged. It never is an essential ingredient in the action for damages for an ordinary slander or libel. It has to do only with the question of smart money.

Matter Libelous per se.—McFadden v. *Morning Journal Ass'n*, 51 N. Y. Supp. 275. Defendant published an article concerning plaintiff, a young lady, describing an alleged rowing race between her and another young lady as "a race for a beau with a handsome face." Names were given and the young man was described as being present, while "fair feminine friends" "encouraged each earnest, anxious aspirant." *Held* that the article was libelous *per se*, as its effect was to bring plaintiff into contempt and ridicule.

PROCEDURE.

Action for Rent—Estoppel of Tenant—Real Party in Interest.—Melcher v. *Kreiser*, 51 N. Y. Supp. 249. Plaintiff made a lease with the defendant, lessee, describing himself "as attorney and agent for the owner, lessor." *Held*, that lessee was estopped to deny the existence of the relation of landlord and tenant between himself and plaintiff, as attorney. *Held*, further, that under the code the plaintiff and not those for whom he might have been agent was the proper person to sue, since he was the only party of the first part thereto, and were this not so he might have maintained the action since a contract had been made in his name for the benefit of another, and he became thereby the trustee of an express trust.